

Remarks

The Examiner is thanked for the careful consideration given the present application.

As an initial matter, the Examiner is thanked for withdrawing the previous rejections.

The Office Action begins with a rejection of claims 36 and 37 under 35 U.S.C. Section 112 as purportedly lacking support in the specification. Specifically, the Examiner asserts that the terms "said indicia corresponding to said content are included in datagram" and "wherein said indicia corresponding to content is a bit included in said datagram" are not supported. This is respectfully traversed. Fig. 3 illustrates a datagram, and, as indicated therein, content 31 is included in the datagram and includes a value 51 contained therewithin. At page 6, lines 30-31, the originally filed specification indicates that this value 51 "may take the form of a value placed in a subdivision 50 of the payload portion 49 or elsewhere within the content 31." At the same page, at line 15, the specification indicates that "content 31 is encapsulated in a datagram 33." The specification thus supports the subject claims.

The Office Action also contains a rejection of the claims under 35 U.S.C. Section 102(e) over the Stefik patent, U.S. Patent 6,910,022. For claim 18, a secondary reference, U.S. Patent 6,772,340 is applied. This secondary reference is relied upon solely for teaching of transferring content from one type of storage to another.

Claim 35 is now canceled and the rejection is now moot as applied to that claim. Applicants respectfully traverse the rejection over Stefik as it applies to claims 6 or 18. Claim 6 requires a terminal with two memories and a user interface operatively associated with the memories. Stefik does not disclose or suggest this feature, but instead is concerned with transfer of digital content between separate repositories. Fig. 2 of Stefik, for instance, illustrates the separate repositories. Stefik's specification discusses the relationship between these repositories and how digital rights are transferred therebetween.

Even if the repositories were considered a "first memory" and "second memory" in accordance with claim 6, these repositories are not memories of a terminal, nor do these repositories have a user interface operatively associated with each. Rather, the repositories are separate and remote from one another, and they do not share a user interface. Accordingly, Stefik fails to disclose a terminal as

claimed in claim 6. Additionally, the subject matter of claim 8 ("said first memory provides temporary storage of said content") is not disclosed or suggested by Stefik. In retrospect, this is not surprising, because Stefik is directed towards different purposes.


The same reasoning applies to claim 18. Claim 18 specifies a user interface for a terminal that permits certain operations, the operations including the transfer of content from volatile storage to user accessible storage. Again, the first and second repositories of Stefik are not used in conjunction with a terminal. Moreover, Stefik fails to provide a user interface associated with the memories. The notion of transfer from volatile storage to user accessible storage is alleged to be found in the secondary reference. The reference is incompatible with the teachings of Stefik. In any case, the combination of references still fails to provide the claimed user interface, which is specified as being a user interface for a terminal.

For these reasons, the application is in condition for allowance.

Respectfully submitted,

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